

June 2, 2003

The Honorable William M. Nickerson  
Senior U.S. District Judge  
101 W. Lombard Street, Room 330  
Baltimore, Maryland 21201

**Re: Lockwood v. Pacific USA, LTD., *et al***  
**Civil Action No. WMN-02-2068**

Dear Judge Nickerson:

Under the Scheduling Order in this case, the time for the Defendants to file dispositive motions in this case was February 14, 2003. The time for the Third Party Defendants to file dispositive motions was May 15, 2003.

On May 15, 2003, the Third Party Defendants timely filed a Cross - Motion for Summary Judgment on Plaintiff's Complaint. Plaintiff filed his opposition to this motion on May 28, 2003.

On May 29, 2003, the Defendants moved for summary judgment by adopting the Motion of the Third Party Defendants and by requesting leave to file a 12 page memorandum with 91 pages of exhibits. Plaintiff is today moving to strike the Defendants' motion as untimely.

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The purpose of this letter is to request that the Plaintiffs not be required to respond to the untimely motion for summary judgment until 15 days after the Court has ruled on Plaintiff's Motion to Strike.

Respectfully submitted,

Michael P. Smith

MPS/jc

cc: All Counsel